

PSJ4 SOL Opp App A Exh 6

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF OHIO
3 EASTERN DIVISION
4 IN RE: NATIONAL : MDL No. 2804
5 PRESCRIPTION OPIATE :
6 LITIGATION : Case No. 17-md-2804
7 :
8 APPLIES TO ALL CASES : Hon. Dan A. Polster
9 :
10 :
11 :
12 HIGHLY CONFIDENTIAL
13 SUBJECT TO FURTHER CONFIDENTIALITY REVIEW
14 - - - -
15 JANUARY 18, 2019
16 - - - -
17 VIDEOTAPED DEPOSITION OF MICHAEL BIANCO,
18 taken pursuant to notice, was held at Marcus &
19 Shapira, One Oxford Center, 35th Floor, Pittsburgh,
20 Pennsylvania 15219, by and before Ann Medis,
21 Registered Professional Reporter and Notary Public in
22 and for the Commonwealth of Pennsylvania, on Friday,
23 January 18, 2019, commencing at 9:07 a.m.
24 - - - -
25 GOLKOW LITIGATION SERVICES
26 877.370.3377 ph | 917.591.5672 fax
27 deps@golkow.com
28
29

1 today, do you have actually have firsthand
2 knowledge that the HBC warehouse had the ability
3 to hold or stop orders?

4 MR. KOBRIN: Object to form. Asked and
5 answered.

6 THE WITNESS: Yes.

7 BY MR. HUDSON:

8 Q. And how then did that occur?

9 MR. KOBRIN: Object to form. Asked and
10 answered.

11 THE WITNESS: I mean, I'm reading an
12 email that I wrote that says an order was stopped.

13 BY MR. HUDSON:

14 Q. I'm trying to get an understanding of
15 what you're relying on other people to tell you.
16 Did somebody tell you the order had been
17 stopped --

18 MR. KOBRIN: Ty, are you asking if he
19 went to the warehouse to stop the order himself?

20 BY MR. HUDSON:

21 Q. -- versus you having firsthand knowledge
22 of how the process worked and how orders were
23 stopped?

24 MR. KOBRIN: Object to form. Ty, this
25 has been gone over several times in this

1 deposition. He's told you he knew the orders were
2 stopped. He's told you that he didn't understand
3 the exact technicalities of it. I don't
4 understand why you're beating this witness up
5 about this issue.

6 THE WITNESS: I never physically went
7 there to stop an order or see an order physically
8 stopped.

9 BY MR. HUDSON:

10 Q. And as you sit here today, you don't
11 know the process of how an order could be stopped?
12 I'll be real honest with you. The reason why I'm
13 asking is because other witnesses have testified
14 that orders can't be stopped.

15 MR. KOBRIN: Object to form.

16 Misrepresents the testimony of other witnesses.

17 THE WITNESS: I don't know how --

18 MR. HUDSON: The record will tell that.

19 THE WITNESS: I don't know how they
20 were -- I don't know the details behind it.

21 BY MR. HUDSON:

22 Q. Is it fair to say it was your
23 understanding at this time that orders could be
24 stopped, but you didn't understand how, you didn't
25 understand who did it, and you didn't understand

1 how the process worked?

2 MR. KOBRIN: Object to form.

3 THE WITNESS: Yes.

4 BY MR. HUDSON:

5 Q. Fair enough. Thank you.

6 MR. KOBRIN: Can we take just a quick
7 break?

8 MR. HUDSON: Sure. Let's go off the
9 record.

10 THE VIDEOGRAPHER: The time is 11:23.
11 We're going off the video record.

12 (Recess from 11:23 a.m. to 11:42 a.m.)

13 THE VIDEOGRAPHER: The time is
14 11:42 a.m. We are now back on the video record.

15 BY MR. HUDSON:

16 Q. Mr. Bianco, let's move to a new topic.
17 Were you ever involved in any DEA inspections?

18 A. Formal inspections, not that I remember.

19 (HBC-Bianco Exhibit 14 was marked.)

20 BY MR. HUDSON:

21 Q. Let me hand you what I've marked as
22 Exhibit 14.

23 MR. HUDSON: The internal number is 1226
24 for this one.

25

1 BY MR. HUDSON:

2 Q. This looks like two emails. I'm going
3 to start with the bottom email. And that was from
4 you to STR_Pharmacy_PDLs. Do you see that?

5 A. I do.

6 Q. Are you emailing then a distribution
7 list of all the Giant Eagle PDLs?

8 A. Yes.

9 Q. And then you're copying Mr. Millward,
10 Ms. Matty, Mr. Shaheen and Mr. Carlson; right?

11 A. Yes.

12 Q. And the subject is Narcs Found in Tote?

13 A. Correct.

14 Q. And it's September 25, 2014; right?

15 A. Correct.

16 Q. And in this email you're indicating that
17 a narcotic tote was returned to the HBC warehouse
18 today with no identifying marks; right?

19 A. Yes.

20 Q. And then below you've identified what
21 the contents are in that tote there; right?

22 A. It appears to be.

23 Q. The top one is two units of a
24 hydrocodone combination product; right?

25 A. Correct.

1 Q. And then if we go on down, the fifth
2 item down is one unit of a hydrocodone combination
3 product; right?

4 A. Correct.

5 Q. And then the sixth item is another one
6 unit of a hydrocodone combination product?

7 A. Correct.

8 Q. And then below that you wrote,
9 "Additionally, we have seen a large number of
10 totes being returned to the warehouse with their
11 contents still inside, many of which are
12 refrigerated or controlled items. Please attempt
13 to address this as you see fit."

14 Now, if we go up above to your -- that's in
15 October. If we go up to the top email, this is an
16 email from you to Mr. Millward with a copy to
17 Mr. Carlson; right?

18 A. To who?

19 Q. It's an email from you to Mr. Millward
20 with a copy to Mr. Carlson.

21 A. Yes. Sorry.

22 Q. And you're forwarding your email below;
23 right?

24 A. Yes.

25 Q. And that was the narcs found in tote

1 email; right?

2 A. Correct.

3 Q. So this is about a little less than a
4 week after your September 25 email is this forward
5 on October 1; right?

6 A. Correct.

7 Q. In here you said, "Hi, Joe. As you
8 likely know, the DEA was in for an inspection of
9 the warehouse today specifically asking about
10 hydrocodone-containing products."

11 Do you see that?

12 A. Yes.

13 Q. Do you have any recollection other than
14 what you're reading in this email about this DEA
15 next of the warehouse today asking about
16 hydrocodone-containing products?

17 MR. KOBRIN: Object to form.

18 THE WITNESS: No.

19 BY MR. HUDSON:

20 Q. Here you wrote, "At the time the
21 warehouse reported having no
22 hydrocodone-containing products on hand."
23 Correct?

24 A. Yes.

25 Q. Then in the next paragraph you said,

1 "Currently, we have one case of a
2 hydrocodone/APAP5/325 that was intended for 6510."

3 Is that a particular store, 6510?

4 A. Yes.

5 Q. "Which is being shipped out tonight
6 after discussion with Tracy Patel. We also have
7 one tote of which the contents are described below
8 that was returned to the warehouse. The original
9 owner of the returned tote is not able to be
10 identified by Donna Matty or myself through
11 various methods. Can you tell me how you would
12 like these contents to be handled. I would like
13 to have the four units of hydrocodone-containing
14 products out of the warehouse by 10/5 so we can
15 avoid any issues with the schedule change."

16 Do you see that?

17 A. Yes.

18 Q. Does this email from you to Mr. Millward
19 and a copy to Mr. Carlson indicate that on
20 October 1 when you were writing this email, there
21 were hydrocodone combination products that were at
22 the warehouse?

23 A. On October 1, yes.

24 Q. And you wrote this email at 1827. Would
25 that be 6:27 at night?

1 A. Assuming the time stamps are correct,
2 yes.

3 Q. And here in this email you're writing
4 that there was a DEA inspection of the warehouse
5 today, which means on October 1; right?

6 A. That's what it reads, yes.

7 Q. And at that inspection where that DEA
8 came in, the warehouse reported to the DEA having
9 no hydrocodone-containing products on hand;
10 correct?

11 A. That's what it reads, yes.

12 Q. But that wasn't true; right?

13 MR. KOBRIN: Object to form.

14 THE WITNESS: I don't know that.

15 BY MR. HUDSON:

16 Q. In this email that you forwarded, you
17 forwarded an email from September 25 that talked
18 about a tote being returned to the HBC warehouse
19 that had four units of hydrocodone combination
20 products; right?

21 A. Yes.

22 Q. And in your above email, you're talking
23 about shipping it out that night, the night of
24 October 1, right, from the warehouse?

25 A. That's what it reads.

1 Q. So that tote was there that day when the
2 DEA was inspecting; right?

3 A. I don't know that.

4 Q. You can't tell that from reading your
5 below email and this email?

6 A. I wasn't physically at the location. So
7 I don't know where the tote in question was or how
8 it was handled.

9 Q. In this email that you're writing to
10 Mr. Millward, we know where the tote was, right,
11 because you're talking shipping it out that night?

12 MR. KOBRIN: Object to form. Where are
13 you talking about they were shipping it out that
14 night?

15 BY MR. HUDSON:

16 Q. Do you see that, Mr. Bianco?

17 A. Can you repeat that.

18 Q. Sure. You said currently -- or you
19 said, "Currently we have one case of
20 hydrocodone/APAP 5/325..." What is that?

21 A. That's -- I can't remember if it's
22 Vicodin or Norco. I think it's Norco, the generic
23 Norco.

24 Q. "...that was intended for 6510, which is
25 being shipped out tonight after discussion with

1 Tracy Patel." And who is Tracy Patel?

2 A. She's an PDL.

3 Q. So this is indicating the HBC warehouse
4 is going to ship this hydrocodone-containing
5 product to -- it's going to ship it out that
6 night. Is that a fair reading of this email.

7 A. I don't know where it was shipping from.
8 It just says that it was shipping.

9 Q. You can't tell from your email where it
10 was shipping from, that particular
11 hydrocodone-containing product?

12 A. I can make an assumption.

13 Q. What would your assumption be?

14 MR. KOBRIN: Object to form.

15 THE WITNESS: Strictly speculating, it
16 would be from the warehouse.

17 BY MR. HUDSON:

18 Q. Is there anywhere else that you can
19 think of as you sit here now where that
20 hydrocodone-containing product would be other than
21 the warehouse?

22 A. At the time I believe it wasn't a CII.
23 How it was handled didn't have as -- the DEA
24 doesn't regulate it as tightly. So I don't know
25 where it was. I can't speak to where it was.

1 Q. So if it was a hydrocodone-containing
2 product, since it's less regulated, in your mind,
3 somehow it's less critical that you tell the truth
4 to the DEA about which products are there?

5 MR. KOBRIN: Object to form.

6 BY MR. HUDSON:

7 Q. I don't understand what that means.

8 MR. KOBRIN: Object to form. Misstates
9 the testimony and it's argumentative.

10 THE WITNESS: You don't understand what
11 what means?

12 BY MR. HUDSON:

13 Q. Why did you say that hydrocodone was not
14 a CII at the time?

15 A. I thought you had said earlier that
16 hydrocodone changed in late October 2014.

17 Q. It changed at some point in
18 October 2014; right?

19 A. Okay.

20 Q. Do you know specifically when it
21 changed?

22 A. I don't know off the top of my head, no.

23 Q. Do you know why the DEA was conducting
24 this inspection?

25 A. I do not.

1 Q. Do you know why they were asking about
2 hydrocodone-containing products?

3 A. I do not.

4 Q. Do you know why the warehouse reported
5 having no hydrocodone-containing products on hand?

6 A. I do not.

7 Q. From your email, do you think it's fair
8 to infer that you're saying that there were
9 hydrocodone products that are on hand, but they're
10 being shipped out as soon as possible?

11 MR. KOBRIN: Object to form.

12 THE WITNESS: At what time?

13 BY MR. HUDSON:

14 Q. On October 1. One shipment you're going
15 to ship out later that night on October 1, and the
16 other shipment you're trying to get shipped out by
17 10/5.

18 A. We can infer that as of October 1 at
19 6:30 p.m. there was hydrocodone there. That's
20 fair.

21 Q. Right. So we know for sure that on
22 October 25, 2014, you wrote to all the PDLs about
23 a tote that had been returned to the HBC warehouse
24 that day that contained four units of hydrocodone
25 combination products; right?

1 A. Correct.

2 Q. And then we also know that in your email
3 of October 1, you reference that tote again, and
4 you say, we also have one tote of which the
5 contents are described below, and that's your
6 email from September 25, right, that was returned
7 to the warehouse? The original owner of the
8 returned tote is not able to identify by Donna
9 Matty or myself -- is not able to be identified by
10 Donna Matty or myself through various methods;
11 right?

12 A. That's what it reads.

13 Q. Then you said, "Can you tell me how you
14 would like these contents to be handled?" And you
15 wrote, "I would like to have the four units of
16 hydrocodone-containing products out of the
17 warehouse."

18 When you say out of the warehouse, that
19 indicates that at least on October 1 at 6:27 p.m.
20 when you wrote this email that they're in the
21 warehouse; right?

22 MR. KOBRIN: Object to form.

23 BY MR. HUDSON:

24 Q. Do you agree with that?

25 A. (Nodding.)

1 Q. And you want them out within the next
2 four days, by 10/5, so you can void issues with
3 the schedule change; right?

4 A. That's what it says.

5 Q. As you sit here today, do you believe
6 that the warehouse conveyed information to the DEA
7 that was not accurate?

8 A. I don't know.

9 Q. Was the purpose of your email to
10 Mr. Millward to make him aware of what had been
11 told to the DEA and make sure that those
12 hydrocodone combination products were out of the
13 warehouse as soon as possible?

14 A. I think the purpose would have been to
15 let him know about the hydrocodone products in the
16 warehouse at that time.

17 Q. Why then did you mention the DEA
18 inspection?

19 A. I don't know.

20 Q. Why did you mention that the warehouse
21 reported having no hydrocodone-containing
22 products?

23 A. I don't know. I don't know if that was
24 said to the DEA or not.

25 Q. You think from your email it's possible

1 that the warehouse did not report to the DEA of
2 having no hydrocodone-containing products on hand?

3 A. I can't speak to that. I wasn't there.

4 Q. Let's look more carefully then, if we
5 can go back up to the top paragraph of your email.
6 This is what you wrote on October 1.

7 "As you likely know, the DEA was in for an
8 inspection of the warehouse today specifically
9 asking about hydrocodone-containing products. At
10 the time the warehouse reported having no
11 hydrocodone-containing products on hand."

12 In your mind, is there any doubt at all that
13 the HBC warehouse reported to the DEA on October 1
14 that it had no hydrocodone-containing products on
15 hand?

16 A. I don't know. I don't know if the DEA
17 asked if there was any on hand. I wasn't at
18 the...

19 Q. You don't know whether or not the DEA
20 asked the warehouse whether there were
21 hydrocodone-containing products on hand?

22 A. I don't know how I could know that.

23 Q. You wrote it in your email, didn't you?

24 A. No.

25 Q. You say, "As you likely know, the DEA

1 was in for an inspection of the warehouse today
2 specifically asking about hydrocodone-containing
3 products."

4 Then you went on and said, "At the time the
5 warehouse reported having no
6 hydrocodone-containing products on hand."

7 In your mind is there any uncertainty as to
8 what you wrote?

9 MR. KOBRIN: Object to form.

10 THE WITNESS: I can read what I wrote.

11 BY MR. HUDSON:

12 Q. You agree that that day when the DEA was
13 there, what you're writing is that the warehouse
14 told the DEA that there were no
15 hydrocodone-containing products on hand; right?

16 A. I disagree.

17 Q. You don't think that's what's written in
18 that paragraph?

19 A. I know definitively that's not what's
20 written in the paragraph.

21 Q. What do you think the warehouse told the
22 DEA?

23 A. I don't know.

24 Q. What was your overall point in writing
25 this email to Mr. Millward who was the head of

1 compliance at the time?

2 A. I don't remember. As I said earlier, I
3 could speculate that it was likely to tell him at
4 time of day that there may have been products on
5 hand.

6 Q. Why would it be important to tell him
7 that there were hydrocodone products on hand?

8 MR. KOBRIN: Object to form.

9 THE WITNESS: Based on my email because
10 we wanted them out of the warehouse by 10/5.

11 BY MR. HUDSON:

12 Q. And why did you want them out of the
13 warehouse by 10/5?

14 A. So we can avoid any issue with the
15 schedule change.

16 Q. What about the DEA, is there any
17 connection between the DEA coming and asking about
18 hydrocodone-containing products and the decision
19 to ship out the hydrocodone combination products
20 that you identified as being on hand?

21 MR. KOBRIN: Object to form.

22 THE WITNESS: Can you repeat that.

23 BY MR. HUDSON:

24 Q. Sure. Is there any connection between
25 the DEA conducting this inspection of the

1 warehouse that day and your decision to email
2 Mr. Millward and Mr. Carlson about shipping out
3 the hydrocodone combination products as soon as
4 possible or at least by 10/5?

5 MR. KOBRIN: Object to form.

6 THE WITNESS: I don't -- I don't know.

7 BY MR. HUDSON:

8 Q. If it was just about shipping the
9 hydrocodone combination products out, would there
10 have been any need to reference that the DEA had
11 made an inspection that day?

12 A. They're two separate paragraphs, so...

13 Q. So you think these are two unconnected
14 points?

15 A. No. I don't know.

16 Q. Does this cause you concern as you're
17 sitting here today reading these two paragraphs
18 that it's possible that the HBC warehouse may have
19 provided inaccurate information to the DEA about
20 whether it had hydrocodone-containing products on
21 hand?

22 MR. KOBRIN: Object to form.

23 THE WITNESS: No.

24 BY MR. HUDSON:

25 Q. It does not?

1 A. It doesn't state that they did.

2 Q. Do you think it's possible that the
3 warehouse reported to the DEA that it had no
4 hydrocodone-containing products on hand when, in
5 fact, the warehouse did have
6 hydrocodone-containing products in the warehouse
7 at the time of the DEA inspection?

8 MR. KOBRIN: Object to form. Calls for
9 speculation.

10 THE WITNESS: Is that possible? Yes.

11 BY MR. HUDSON:

12 Q. And from the contents of your email,
13 doesn't it appear to be highly likely that that's
14 what happened?

15 MR. KOBRIN: Object to form.

16 THE WITNESS: No. We had a very close
17 relationship with the DEA. So I don't know what
18 the conversations specifically were about, but
19 they could have been about many issues surrounding
20 the hydrocodone change, schedule change.

21 BY MR. HUDSON:

22 Q. We do know though as part of that
23 conversation, the warehouse did report to the DEA
24 having no hydrocodone-containing products on hand.
25 We know that; right?

1 A. No.

2 Q. We don't know that?

3 A. I don't know who they reported that to.

4 Q. You think it's possible in the same
5 paragraph you wrote about a DEA inspection of the
6 warehouse asking about hydrocodone-containing
7 products and in the next sentence you changed the
8 subject completely and talked about a report to
9 somebody other than the DEA about having no
10 hydrocodone-containing products on hand?

11 MR. KOBRIN: Object to form.

12 Argumentative.

13 THE WITNESS: And what was the question?

14 MR. HUDSON: Would you mind reading back
15 the question.

16 (The record was read back.)

17 BY MR. HUDSON:

18 Q. Do you understand the question?

19 A. I'm not changing the subject entirely.

20 I'm still talking about hydrocodone. But, again,
21 I can't -- I don't know what they said. I wasn't
22 there. I don't know what was reported. I would
23 presume the DEA has a report on that date.

24 Q. Sir, that first paragraph, you're
25 recapping a DEA inspection that occurred and what

1 you told the DEA about hydrocodone-containing
2 products; right?

3 A. No. I was not there to report anything
4 to the DEA.

5 Q. But you're not -- in that paragraph you
6 are not recapping what happened at that DEA
7 inspection that day?

8 A. In the first sentence, yes.

9 Q. Only the first sentence.

10 A. I don't know. I don't recall this
11 email. I don't recall the situation.

12 Q. As you're sitting here today, just
13 understanding the English language and that
14 paragraph and how it's written, is there any doubt
15 in your mind that those two sentences are
16 connected and that you're talking about a DEA
17 inspection of the warehouse, about
18 hydrocodone-containing products, and exactly what
19 the warehouse reported to the DEA?

20 MR. KOBRIN: Object to form.

21 Argumentative. Asked and answered.

22 THE WITNESS: Was there concern? What
23 was the leading part of that? Was there concern
24 that I --

25

1 BY MR. HUDSON:

2 Q. I just want to get your best testimony
3 on the record about the first paragraph. When you
4 read that paragraph as you sit here today, is your
5 best recollection of what you wrote back on
6 October 1 -- are those two sentences connected and
7 are you reporting to Mr. Millward and copying
8 Mr. Carlson, your boss at the time, about a DEA
9 inspection of the HBC warehouse and what the
10 warehouse reported to the DEA?

11 MR. KOBRIN: Object to form.

12 THE WITNESS: I guess if I had any
13 concern -- I don't recall this email. But if I
14 had any concern that there was a suspicious order,
15 I wouldn't put it in five words in an email at
16 6:30 at night, or a dozen words.

17 BY MR. HUDSON:

18 Q. My question though wasn't about a
19 suspicious order. My question is that first
20 paragraph, it's just what the warehouse told the
21 DEA about whether there were hydrocodone
22 combination products at the warehouse at the time
23 of the inspection and then you reporting to them
24 later about what your understanding of what was at
25 that warehouse later that night.

1 Isn't that what's going on in this email?
2 A. Like I said, I wouldn't -- if I had
3 concerns that there was a suspicious response to a
4 DEA inspection, I would have taken further steps
5 than to put it in several words in an email at
6 6:30 at night.

7 Q. With all due respect, it's not just
8 several words. In the second paragraph goes in
9 and you describe in detail exactly how to solve
10 the problem and get those hydrocodone combination
11 products out of the warehouse as soon as possible;
12 right?

13 MR. KOBRIN: Object to form.

14 THE WITNESS: I disagree with that.

15 BY MR. HUDSON:

16 Q. You do agree that for one case of the
17 hydrocodone products, you're shipping those out
18 later that same night; right? It's 6:27 at night
19 and you're going to ship that case out later that
20 night.

21 A. Correct.

22 Q. Is that usual or unusual for shipments
23 to be shipped out after 6:30 at night?

24 A. Our first wave I don't believe started
25 until 6:30 at night. I can't remember if it was

1 6:30, 7:30 or 8:30, but it was something similar
2 to that.

3 Q. We can agree that what you identified in
4 this second paragraph was a case of
5 hydrocodone-containing products that had been
6 meant to be shipped to store 6510, but it hadn't.
7 So now you're putting in place a plan to get that
8 shipped out of the warehouse that night on
9 October 1? Can we agree on that?

10 MR. KOBRIN: Object to form.

11 THE WITNESS: I did not put the plan --
12 it doesn't look like I put the plan in place. I'm
13 letting them know what the plan was.

14 BY MR. HUDSON:

15 Q. But you're relaying to them what the
16 plan was for that particular case?

17 A. Correct.

18 Q. And then for the second, the tote that
19 you talked about before that had been in the
20 warehouse for about a week and hadn't been
21 claimed, it also had hydrocodone-containing
22 products. And then in the rest of the paragraph
23 you're laying out or relaying to the head of
24 compliance and your boss the plan to get that
25 shipped out of the warehouse, too; right?

1 A. No. I'm asking if they can tell me how
2 they should be handled.

3 Q. And then because you're laying out for
4 them a recommendation what you think should
5 happen; right?

6 MR. KOBRIN: Object to form. Misstates
7 the evidence.

8 THE WITNESS: No.

9 BY MR. HUDSON:

10 Q. At a minimum you're telling them you
11 would sure like to see the product out of the
12 warehouse by 10/5 so that you can avoid any issue
13 with the scheduling change.

14 A. Agreed.

15 Q. Do you know whether or not those
16 hydrocodone-containing products were, in fact,
17 shipped from the warehouse that night? Do you
18 have any recollection?

19 A. No.

20 Q. Do you know anything more about this
21 topic than what we've talked about?

22 A. The topic of changing schedules?

23 Q. Yeah, this DEA inspection and then the
24 plan for shipping these two hydrocodone-containing
25 products.

1 A. No. The conversion of the schedule,
2 yes.

3 (HBC-Bianco Exhibit 15 was marked.)

4 BY MR. HUDSON:

5 Q. We'll move to a new topic and hand you
6 what I've marked as Exhibit 15. Exhibit 15 is a
7 thick set -- it's a cover email with a set of
8 attachments, and the subject of this email is All
9 Policies for VAWD Reflected as of 5:00 p.m. Today.

10 Do you recognize Exhibit 15, Mr. Bianco?

11 A. Flipping through it, they look like
12 policies, but without having an opportunity to
13 read them all.

14 O. This is an email from Sara Green; right?

15 A. Appears to be, yes.

16 O. And who is Sara Green?

17 A. Based on her signature, she was a

18 executive secretary. I'm not sure.

19 Q. And she's then distributing this set of
20 policies to a distribution group that includes
21 yourself and others?

22 A. Yes.

23 Q. And she wrote down in the body of the
24 email, "Good afternoon. Sorry for so many emails
25 throughout the day. Attached are all final PDF

1 version policies for VAWD as well as the document
2 retention policy and chart. If you have any
3 questions, let me know."

4 A. Yes.

5 Q. Were you part of the group that reviewed
6 these policies before they were put into final
7 form?

8 A. On each specific policy, again, without
9 having an opportunity to read them, I may have
10 interacted on some of them, but I don't know
11 without having an opportunity to review them all.

12 Q. What is VAWD?

13 A. Verified accredited wholesale
14 distributor.

15 Q. And is that a certification that you can
16 obtain?

17 A. I believe through NABP.

18 Q. Through NABP?

19 A. National Association of Boards of
20 Pharmacy.

21 Q. And did the HBC warehouse ever get VAWD
22 certification?

23 A. I don't believe so.

24 Q. Did the HBC warehouse ever apply for
25 VAWD certification?

1 A. I'm not -- I'm not sure if we ever
2 actually applied or not.

3 Q. Were you part of the effort to create
4 these policies for VAWD?

5 A. I helped on some of the policies, but,
6 again, without reading all of these, I'm not sure
7 which ones I did or did not.

8 Q. Let's go back, if we could. For this
9 purpose, I'll just use the Bates numbers that are
10 in the bottom right, the Bates ending number. So
11 go back, if you could, to Bates 629.

12 A. Is that this?

13 Q. Exactly. It's the HBC_MDL.

14 A. What was the number?

15 Q. The ending number is 629.

16 A. Okay.

17 Q. And if you could, at the top it says
18 Security Policy. Do you see that at the top
19 right?

20 A. Yes.

21 Q. And then, if you could, do you see the
22 table that's got two columns?

23 A. Yes.

24 Q. Explain to me, if you could, how to read
25 that, if you know.

1 COMMONWEALTH OF PENNSYLVANIA)

2 COUNTY OF ALLEGHENY) SS:

3 C E R T I F I C A T E

4 I, Ann Medis, Registered Professional
5 Reporter, Certified Livenote Reporter and Notary
6 Public within and for the Commonwealth of
7 Pennsylvania, do hereby certify:

8 That MICHAEL BIANCO, the witness whose
9 deposition is hereinbefore set forth, was duly
10 sworn by me and that such deposition is a true
11 record of the testimony given by such witness.

12 I further certify the inspection,
13 reading and signing of said deposition were not
14 waived by counsel for the respective parties and
15 by the witness.

16 I further certify that I am not related
17 to any of the parties to this action by blood or
18 marriage and that I am in no way interested in the
19 outcome of this matter.

20 IN WITNESS WHEREOF, I have hereunto set
21 my hand this 23rd day of January, 2019.

22

23 Notary Public

24

25